REMARKS

In the Office Action mailed November 13, 2006,[1] the Examiner rejected

claims 11-21 under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject

matter; rejected claims 10 and 20 under 35 U.S.C. § 112, second paragraph; and

rejected claims 1-21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent

No. 6,066,181 to DeMaster ("*DeMaster*").

By this amendment, Applicants have amended claims 1, 5, 10, 11, 15, 20, and

21. Based on the amendment and the following remarks, Applicants respectfully

traverse the rejections presented in the Office Action.

I. The Rejection of Claims 11-21 under 35 U.S.C. § 101

The Examiner asserts, "[c]laim 11 recites a computer program product, tangibly

embodied in an information carrier ... [t]he disclosure explicitly states an information

carrier can be ... '*a propogated signal*'" (emphasis in original) (Office Action at 2). The

Examiner continues, "[a] signal does not fall within one of the four statutory classes ...

[the] Examiner anticipates the claim will be amended to be statutory claim as such '... A

computer program product, tangibly embodie[d] in [an information carrier] a computer-

readable storage device" (emphasis in original) (Office Action at pp. 2-3). Claim 11 has

been amended in accordance with the Examiner's suggestion.

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[1] The Office Action may contain statements characterizing the related art, case law, and claims. Regardless of whether any such statements are specifically identified herein, Applicant declines to automatically subscribe to any statements in the Office Action.

The Examiner indicated that claims 12-20 are rejected due to their dependence from claim 11 (Office Action at p. 3). However, only claims 12-14 depend from claim 11, claim 15 and 20 being independent and claims 16-19 depending from claim 15. Applicants have amended claims 15 and 20 in the manner suggested by the Examiner discussed above regarding claim 11, and submit that claims 11-20 recite statutory subject matter. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of claims 11-20 under 35 U.S.C. § 101.

The Examiner apparently rejected claim 21 under 35 U.S.C. § 101 (Office Action at p. 2) but failed to provide a basis for the rejection. If the Examiner intended to reject claim 21 under 35 U.S.C. § 101, Applicants respectfully request the Examiner to provide a basis for the rejection. Applicants submit that claim 21 is statutory, and respectfully request the Examiner to withdraw the rejection.

II. The Rejection of Claims 10 and 20 under 35 U.S.C. § 112

The Examiner states, "[c]laims 10 and 20 recite the limitation '*generate a second language-dependent program from the language-dependent description*'. There is insufficient antecedent basis for this limitation in the claim. Taken the context of the claims and specification into consideration, The Examiner assumes the phrase above is meant to be '*generate a second language-dependent program from the language-independent description*' for further claim analysis under 35 U.S.C. 102 and 103. Appropriate correction is required." (emphasis in original) (Office Action at p. 3). Claims 10 and 20 have been amended in accordance with the Examiner's suggestion, and

Applicants respectfully request the Examiner to withdraw the rejection of claims 10 and 20 under 35 U.S.C. § 112.

III. The Rejection of Claims 1-4, 11-14, and 21 under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 1-4, 11-14, and 21 under 35 U.S.C. § 102(b) as being anticipated by *DeMaster*. To properly anticipate Applicants' claimed invention under 35 U.S.C. § 102(b), each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Further, "[t]he identical invention must be shown in as complete detail as is contained in the...claim." See M.P.E.P. § 2131 (8th Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989). Finally, "[t]he elements must be arranged as required by the claim." M.P.E.P. § 2131 (8th Ed. 2001), p. 2100-69.

Claim 1 recites, for example, a method for validating programs, the method comprising receiving a "language-independent description of a computer program, the language-independent description comprising a definition module and an implementation module, the implementation module defining a class to be implemented by the program and the definition module defining an interface associated with the class." *DeMaster* fails to teach or suggest, among other things, the claimed "language-independent description of a computer program ... comprising ... [an] implementation module defining a class to be implemented by the program and [a] definition module defining an interface associated with the class."

DeMaster discloses, "a programmer initially generates a native interface definition for native code, preferably using a neutral Interface Definition Language (IDL) to describe native code components" (*DeMaster*, col. 2, lines 9-12). The Examiner alleges that *DeMaster's* native interface definition corresponds to the claimed language-independent description of a computer program (Office Action at p. 4). However, the claimed language-independent description comprises an "implementation module defining a class to be implemented by the program," whereas *DeMaster's* native interface definition is merely an interface definition.

Moreover, *DeMaster* continues, "[t]he Java native interface code generator reads and parses the user-derived native interface definition required to implement the native capability in Java. Specifically, the Java native interface code generator generates Java classes ... [which] load the native code DLL at run-time ... [t]hus each Java Class is the programmer's API to the native methods that make up the native method implementation." (*DeMaster*, col. 2, lines 23-41). Thus, the native interface definition does not define a class to be implemented by a program, but merely defines the interface to existing native code. *DeMaster*, therefore, fails to teach or suggest the claimed "language-independent description of a computer program ... comprising ... [an] implementation module defining a class to be implemented by the program and [a] definition module defining an interface associated with the class" as recited by independent claim 1.

Independent claims 11 and 21, although of different scope than claim 1, recite subject matter similar to that discussed above with respect to claim 1, and not taught or

suggested by *DeMaster*. Claims 2-4 and 12-14 are allowable at least due to their dependence from claims 1 and 11, respectively.

The dependent claims further distinguish *DeMaster*. Claim 2, for example, recites "the method of claim 1 wherein validating the language-independent description comprises validating the syntax of the definition module and the implementation module." As discussed above with respect to claim 1, the Examiner alleges *DeMaster's* native interface definition using a neutral Interface Definition Language (IDL) corresponds to the claimed language-independent description. *DeMaster*, however, is silent as to any syntax validation of the native interface definition or IDL. *DeMaster*, therefore, fails to teach or suggest the claimed "validating the syntax of the definition module and the implementation module" as recited by dependent claim 2. Claim 12, although of different scope than claim 2, recites subject matter similar to that discussed with respect to claim 2, and also distinguishes *DeMaster*.

Dependent claim 3, for example, recites the method of claim 1 wherein "validating the language-dependent program comprises compiling the interface and the class." The Examiner alleges *DeMaster's* teachings of compiling a Java application and classes disclose this subject matter of claim 3 (Office Action at p. 5). With respect to independent claim 1, the Examiner identified the native interface definition or IDL as corresponding to the claimed language-independent description comprising a definition module and an implementation module. However, *DeMaster* does not teach that the native interface definition comprises either the Java application or classes. Thus, the Java application or classes cannot correspond to the claimed interface or class.

-14-

DeMaster, therefore, fails to teach or suggest the claimed "compiling the interface and the class" as recited by claim 3. Claim 13, although of different scope than claim 3, recites subject matter similar to that discussed above with respect to claim 3, and also distinguishes *DeMaster*.

Therefore, Applicants request that the rejection of claims 1-4, 11-14, and 21 under 35 U.S.C. § 102(b) be withdrawn and the claims allowed.

IV.   The Rejection of Claims 5-10 and 15-20 under 35 U.S.C. § 102(b)

Applicants respectfully traverse the rejection of claims 5-10 and 15-20 under 35 U.S.C. § 102(b) as being anticipated by *DeMaster*.

Claim 5 recites, for example, a method for validating programs, the method comprising, among other things, "generating a language-dependent program from the language-independent description, the language-dependent program comprising a script code section in a language that does not support interfaces." *DeMaster* fails to teach or suggest, among other things, the claimed "language-dependent program comprising a script code section in a language that does not support interfaces."

The Examiner alleges that *DeMaster's* native code, Java classes, and data conversion code stubs correspond to the claimed script code section (Office Action at pp. 6-7). However, *DeMaster* discloses that Java supports interfaces at, for example, col. 1, lines 36-51. *DeMaster* further discloses the native code is in languages such as C and C++, which support interfaces (*DeMaster*, col. 2, lines 5-9), and that the "Java Classes and data conversion code stubs are produced from the native interface definitions. (*DeMaster*, col. 2, lines 29-33). *DeMaster*, therefore, fails to teach or

-15-

suggest the claimed "language-dependent program comprising a script code section in a language that does not support interfaces" as recited by independent claim 5.

Independent claims 10, 15, and 20, although of different scope than claim 5, recite subject matter similar to that discussed above with respect to claim 5, and not taught or suggested by *DeMaster*. Claims 6-9 and 16-19 are allowable at least due to their dependence from claims 5 and 15, respectively.

Therefore, Applicants request that the rejection of claims 5-10 and 15-20 under 35 U.S.C. § 102(b) be withdrawn and the claims allowed.

V. Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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Dated: January 23, 2007   By: _____ #56249

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